

IN RE:

NORMAN, TIMOTHY WALTER & NORMAN, LISA JEANNE

Debtor(s)

Case No. 12-46813

Chapter 13

MODIFIED CHAPTER 13 PLAN

Dated: January 22, 2013.

1. PAYMENTS BY DEBTOR TO TRUSTEE –

a. As of the date of this plan, the debtor has paid the trustee \$ 350.00 .

b. After the date of this plan, the debtor will pay the trustee \$ 350.00 per month for 59 months, beginning within 30 days after the filing of this plan for a total of \$ 20,650.00. The minimum plan length is ☐ 36 or ☒ 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.

c. The debtor will also pay the trustee: n/a

d. The debtor will pay the trustee a total of \$ 21,000.00 [line 1(a) + line 1(b) + line 1(c)].

2. PAYMENTS BY TRUSTEE – The trustee will pay from available funds only creditors for which proofs of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or \$ 2,100.00 , [line 1(d) x .10].

3. ADEQUATE PROTECTION PAYMENTS [§ 1326(a)(1)(C)] – The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

Creditor	Monthly Payment	Number of Months	TOTAL PAYMENTS
None			
TOTAL			0.00

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365] – The debtor assumes the following executory contracts or unexpired leases. Cure provisions, if any, are set forth in ¶ 7.

Creditor	Description of Property
None	

5. CLAIMS NOT IN DEFAULT – Payments on the following claims are current and the debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any.

Creditor	Description of Claim
None	

6. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5) and § 1322(e)] – The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. All following entries are estimates. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
GREEN TREE SERVICING	2,172.79	72.43	9	30	2,172.79
M AND T BANK BANKRUPTCY DEPT	6,980.93	232.70	9	30	6,980.93
TOTAL					9,153.72

7. CLAIMS IN DEFAULT [§ 1322 (b)(3) and (5) and § 1322(e)] – The trustee will cure defaults on the following claims as set forth below. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. All following entries are estimates, except for interest rate.

Creditor	Amount of Default	Int. rate (if any)	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
None						
TOTAL						0.00

8. OTHER SECURED CLAIMS; SECURED CLAIM AMOUNT IN PLAN CONTROLS [§ 1325(a)(5)] – The trustee will pay, on account of the following allowed secured claims, the amount set forth in the “Total Payments” column, below. The creditors will retain liens securing the allowed secured claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor’s discharge. NOTWITHSTANDING A CREDITOR’S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR’S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE CREDITOR’S ALLOWED SECURED CLAIM.

Creditor	Claim Amount	Secured Claim	Int. Rate	Beginning in Month #	Monthly Payment	Number of Payments	Payments on Account of Claim	Adequate Protection from ¶ 3	TOTAL PAYMENTS
None									
TOTAL									0.00

9. PRIORITY CLAIMS – The trustee will pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates. The trustee will pay the amounts actually allowed.

Creditor	Estimate Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
James P. Agosto	2,700.00	300.00	1	9	2,700.00
TOTAL					2,700.00

10. SEPARATE CLASSES OF UNSECURED CREDITORS – In addition to the class of unsecured creditors specified in ¶ 11, there shall be separate classes of non-priority unsecured creditors described as follows:
The trustee will pay the allowed claims of the following creditors. All entries below are estimates.

Creditor	Int. Rate (if any)	Claim Amount	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
None						
TOTAL						0.00

11. TIMELY FILED UNSECURED CREDITORS – The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$ 7,046.28 [line 1(d) minus lines 2, 6(d), 7(d), 8(d), 9(f), and 10(c)].

- The debtor estimates that the total unsecured claims held by creditors listed in ¶ 8 are \$ 0.00.
- The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 8 and ¶ 10) are \$ 60,504.14.
- Total estimated unsecured claims are \$ 60,504.14 [line 11(a) + line 11(b)].

12. TARDILY-FILED UNSECURED CREDITORS – All money paid by the debtor to the trustee under ¶ 1, but not distributed by the trustee under ¶ 2, 3, 6, 7, 8, 9, 10, or 11 will be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

13. OTHER PROVISIONS – The trustee may distribute additional sums not expressly provided for herein at the trustee’s discretion. The debtors shall send the Trustee each year during the Chapter 13 Plan copies of their federal and state income tax returns at the time they are filed. The debtors shall also promptly report to the Trustee the receipt of any federal and state income tax refunds for the duration of this Chapter 13 case and shall be entitled to retain the first \$2,000 plus any earned income credit (EIC). Any remaining amounts shall be turned over to the Chapter 13 Trustee as additional plan payments.

14. SUMMARY OF PAYMENTS –

Trustee’s Fee [Line 2]	\$	2,100.00
Home Mortgage Defaults [Line 6(d)]	\$	9,153.72
Claims in Default [Line 8(d)]	\$	0.00
Other Secured Claims [Line 8(d)]	\$	0.00
Priority Claims [Line 9(f)]	\$	2,700.00
Separate Classes [Line 10(c)]	\$	0.00
Unsecured Creditors [Line 11]	\$	7,046.28
TOTAL [must equal Line 1(d)]	\$	21,000.00

James P. Agosto 0000632
James P. Agosto
142 W. Broadway P.O. Box 896
Monticello, MN 55362-0896
(763) 295-4004

Signed: /s/ **TIMOTHY WALTER NORMAN**

DEBTOR

Signed: /s/ **LISA JEANNE NORMAN**

DEBTOR (if joint case)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

NORMAN, TIMOTHY WALTER
NORMAN, LISA JEANNE

NOTICE OF MODIFIED
CHAPTER 13 PLAN
PRE-CONFIRMATION

Debtors.

Chapter 13 Case No. 12-46813

PLEASE TAKE NOTICE of the attached Modified Chapter 13 Plan, Pre-Confirmation.

The Hearing on Confirmation of Plan will be:

Date: February 21, 2013 Time: 10 a.m. Location: Courtroom 8 West (Minneapolis)
U S BANKRUPTCY COURT
U S COURTHOUSE
COURTROOM 8 WEST
300 S 4TH ST
MINNEAPOLIS, MN 55415

Dated: January 25, 2013

/e/ James P. Agosto
James P. Agosto, Attorney ID No. 0000632
Attorney for Debtor
142 W. Broadway, P.O. Box 896
Monticello, MN 55362
763-295-4004

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

UNSWORN CERTIFICATE OF SERVICE

In re:

NORMAN, TIMOTHY WALTER
NORMAN, LISA JEANNE

Chapter 13 Case No. 12-46813

Debtors.

I, James P. Agosto, declare under penalty of perjury that on January 25, 2013, I forwarded copies of the attached Modified Chapter 13 Plan, Preconfirmation and Notice of Modified Plan, Preconfirmation by first class mail, postage prepaid, or electronically, to each entity and at the address stated for each entity listed below.

KYLE L. CARLSON
INFO@CARLSONCH13MN.COM

UNITED STATES TRUSTEE
USTPREGION12.MN.ECF.USDOJ.GOV

MINNESOTA DEPARTMENT OF REVENUE
MINNDEPREV.COM

CAPITAL ONE BANKRUPTCY
CAPITALONE.COM

CHASE
CHASE.COM

CITIBANK CENTRALIZED BKCY
CITICORP.COM

DISCOVER FINANCIAL SERVICES
DISCOVER.COM

GREEN TREE SERVICING
BANKRUPTCY.BNC@GT-CS.COM

WELLS FARGO CARD SERVICES
WFFC.COM

BILL ME LATER
PO BOX 105658
ATLANTA, GA 30348-5658

COLLECTION RESOURCES
PO BOX 2270
ST CLOUD, MN 56302

FEDERAL LOAN SERVICE
PO BOX 69184
HARRISBURG, PA 17106

FIRSTMARK
PO BOX 82522
LINCOLN, NE 68501

M & T BANK BANKRUPTCY DEPT
1100 WEHRLE DR 2ND FL
WILLIAMSVILLE, NY 14221

UNITED COLLECTION BUREAU
PO BOX 140310
TOLEDO, OH 43614

WELLS FARGO CARD SERVICES
1 HOME CAMPUS X2303-01A
DES MOINES, IA 50326

US DEPT OF EDUCATION GLELSI
2401 INTERNATIONAL LANE
MADISON, WI 53704

TIM AND LISA NORMAN
8489 WEST BEATRICE DR SE
CLEAR LAKE, MN 55319

Dated: January 25, 2013

/e/ James P. Agosto
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